

## **Election Law: Political Activities Dos and Don'ts**

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With the Congressional election fast-approaching, it is important for Air Force members to be aware of their rights and responsibilities regarding political activities. Airman should be aware of the major restrictions on what actions can and cannot be taken as a member of the United States Air Force. Here is a short list of do's and don'ts. For a more precise and comprehensive list, please reference AFI 51-902, Political Activities by Members of the US Air Force.

### **Dos:** Military members may -

1. Register to vote, vote, and express a personal opinion on political candidates and issues, but not as a representative of the Armed Forces.
2. Contribute to political organizations (but not particular candidates), attend meetings and rallies as a spectator when not in uniform, display political stickers on personally-owned vehicles, and wear political buttons when not in uniform or on duty.
3. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with military duties, is performed while out of uniform, and has prior approval of the major command commander (approval authority may be delegated to the installation commander).
4. Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballot if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen.
5. Write a letter to the editor of a newspaper expressing the member's personal views concerning public issues, if those views do not attempt to promote a partisan political cause.
6. Write a personal letter, not for publication, expressing preference for a specific political candidate or cause, if the action is not part of an organized letter-writing campaign on behalf of a partisan political cause or candidate.
7. Participate fully in the Federal Voting Assistance Program.

### **Don'ts:** Military members may not -

1. Participate in partisan political fundraising activities (except as permitted above), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another. This prohibition applies whether the individual is in uniform or not, and regardless of whether an inference or appearance of official sponsorship, approval, or endorsement may be drawn. Participation includes more than mere attendance as a spectator.
2. Use official authority or influence to interfere with an election, to affect its course or outcome, to solicit votes for a particular candidate or issue, or to require or solicit political contributions from others.
3. Participate in partisan political management, campaigns, or conventions, or make public speeches in the course of such activity.
4. Serve in any official capacity or be listed as a sponsor of a partisan political club.
5. Speak before a partisan political gathering of any kind for promoting a partisan political party or candidate.

7. Conduct a political opinion survey under the auspices of a partisan political group or distribute partisan political literature.
8. Perform clerical or other duties for a partisan political committee during a campaign or on Election Day.
9. March or ride in a partisan political parade or participate in any organized effort to provide voters with transportation to the polls if the effort is organized by or associated with a partisan political party or candidate
10. Sell tickets for, or otherwise actively promote, political dinners and other such fund-raising events

Violations of these rules may be subject to prosecution under Article 92, Uniform Code of Military Justice (UCMJ), in addition to any other applicable provision of the UCMJ or Federal law. An Airman or civilian who observes a violation of any of these rules should report them no differently than reporting any other violation--through the chain of command. An Airman should notify his/her commander (or his /her commander's commander as the case may be), and a civilian should notify his/her supervisor.

The source for this material was AFI 51-902. For more information, please contact the 374 Airlift Wing Staff Judge Advocate office at 225-8069.